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Redevelopment Board Minutes 03/26/2007

Arlington Redevelopment Board
 Minutes of March 26, 2007

Members Present: Bruce Fitzsimmons
 Roland Chaput
 Edward Tsoi
 Andrew West
 Christopher Loreti joined the meeting at 8:30PM

Also Present: Kevin J. O'Brien
 Joey Glushko
 Laura Wiener

Roland Chaput called the meeting to order at 7:04. He introduced Jake Upton who in turn introduced Bob McCullough and Sandi Wolchansky from JPI who have agreed to invest in and become partner in Symmes Redevelopment Associates. Bob McCullough gave a short presentation about JPI which is based in Texas and is one of the larger investor/developers in multi family homes in the U.S. The Board asked questions and JPI and Jake Upton explained the partnership they have formed. At a future meeting the ARB needs to approve JPI's participation as an equity investor.

The Board then turned to a discussion of the warrant article on which it must report to Town Meeting.

Article 5 regarding so called "zip cars"; the Board decided to add a "Yes" for use 8.12c in the MU column and to delete the "Yes" for use 8.12c in the R3 column. They also changed the language regarding signage slightly.

Article 6 regarding compact car parking spaces: The Board decided to establish the length dimension as "sixteen feet".

The Board made no change to the suggested vote on articles 7 and 8.

Article 9 regarding inclusionary zoning: the Board decided to use the simplified language suggested by Kevin O'Brien and to use a more generic term for describing HUD income standards.

Article 11 regarding the change of zoning for 67 Smith Street: Kevin O'Brien explained that a vote of no action as requested by the proponent meant that the article could not be brought before Town Meeting again for two years unless the ARB recommended approval of the change.

On a motion by Ed Tsoi, seconded by Bruce Fitzsimmons, the Board voted unanimously on Article 5 "That the Town vote to amend the Zoning Bylaw in Article 5, Section 5.04, Table of Use Regulations, by adding after 8.12b. a new use "8.12c., Parking of not more than 4 commercially-owned shared vehicles," allowing such use by right in certain districts, and by adding the word "Yes" in the following columns: R6, R7, B2, B2A, B3, B4, B5, MU, PUD, and I; and allowing such use by Special Permit in certain districts, by adding the letters "SP" in the following columns: R4, R5, and B1; and,

by adding a new use "8.12d., Parking of not more than 4 commercially-owned shared vehicles, located on land under the jurisdiction of the Town," allowing such use by right in certain districts, by adding the word "Yes" in the following columns: R6, R7, B2, B2A, B3, B4, B5, PUD, and I; and allowing by Special Permit in certain districts, by adding the letters "SP" in the following columns: R0, R1, R2, R3, R4, R5, and B1; and,

in Article 2, Definitions, Section 2.01, by adding, following the definition for "Setback," the definition "Shared Vehicle: A passenger vehicle, not to exceed 5,000 pounds gross vehicle weight rating owned by a membership based entity which makes the vehicles available for rent by the hour or day to its members. Shared vehicles are parked at locations remote from the owner entity. Shared vehicles shall not display advertising other than accessory signage shall which not exceed four square feet in total";

or take any other action related thereto."

On a motion by Ed Tsoi, seconded by Chris Loreti, the Board voted unanimously on Article 6 "That the Town vote to amend the Zoning Bylaw, Article 8, Off Street Parking and Loading Regulations, Section 8.12, Parking and Loading Space Standards, in the third sentence, by deleting the words "seven and one-half by fifteen" and inserting in place thereof the words "eight by sixteen"; and,

in Paragraph (11) by deleting the words "40 percent" and inserting in place thereof the words "20 percent";

or take any other action related thereto."

On a motion by Chris Loreti, seconded by Andrew West, the Board voted unanimously on Article 7 "That the town vote to amend the Zoning Bylaw, Article 5, Section 5.04, Table of Use Regulations, in the row for Use 8.11 (Accessory off-street parking...), by adding the letters "SP" in the column for the OS District; and,

in Section 11.06, Environmental Design Review, Sub-paragraph b., Application, by adding after Sub-paragraph 2. a new sub-paragraph as follows: "3. Parking in the Open Space District shall be subject to the environmental design review procedures and standards hereinafter specified.";

or take any other action related thereto."

On a motion by Andrew West, seconded by Ed Tsoi, the Board voted unanimously on Article 8 "That the Town vote to Amend the Zoning Bylaw, Article 8, Off Street Parking and Loading Regulations, Section 8.10, Pavement of Parking Spaces, by adding the words "porous asphalt, pervious concrete," after the words "bituminous cement, concrete,;"; and in the same sentence by adding the words, "grass pavers" after the words "paving stones"; and,

in Section 8.12, Parking and Loading Space Standards, Sub-paragraph a.(1), by inserting before the final sentence the following sentence "The use of porous asphalt, pervious concrete, paving stones, or grass pavers may also be used to meet this requirement, in whole or part, subject to the approval of the Town Engineer.";

or take any other action relative thereto.

On a motion by Andrew seconded by Ed Tsoi, the Board voted unanimously on Article 9 "That the Town vote to amend the Zoning Bylaw, Article 11, Special Regulations, Section 11.08—Affordable Housing Requirements, as follows:

in Section c. Definitions:

Delete existing definition of Affordable Units, and replace with:

"Rental Units priced such that the rent (including utilities) shall not exceed 30% of the income of a household at 60% of median income; or, for homeownership units, priced such that the annual debt service on a mortgage plus taxes, insurance, and condominium fees (assuming a 5% down payment) shall not exceed 30% of the income of a household at 70% of median income."; and,

Delete existing definition of Eligible Households, and replace with:

"For ownership units, a household whose total income does not exceed 80% of the Median Income of households in the Boston metropolitan area as defined by the U.S. Department of Housing and Urban Development, adjusted for household size. For rental units, a household whose total income does not exceed 70% of the Median Income of households in the Boston metropolitan area as defined by the U.S. Department of Housing and Urban Development, adjusted for household size."; and,

in Section d. Requirements

Delete existing Section 11.08,d.2., and replace with:

"Affordable Units' prices shall be calculated such that household size matches the number of bedrooms plus one.";

and,

after Section 11.08,d.2. a new Section 11.08,d.3., as follows:

"3. Affordable Units shall conform to all requirements for inclusion on the state's Subsidized Housing Inventory."; and, re-number present d.3. to d.4; and,

in Section 11.08,d.3.(c) by adding, after the words "room size" the words "and number of rooms,";

or take any other action related thereto.

On a motion by Bruce Fitzsimmons, seconded by Ed Tsoi, the Board voted unanimously on Article 11 "No action"

Roland Chaput then took out of order the item to consider the addition of new windows at 297 Broadway, the building occupied by American Alarm. Kevin O'Brien explained that the Board had approved the window in November, 2005, but that two years having passed, the Board should approve them again if it wishes to allow their installation. Dick Sampson, the building owner was present and explained that the windows were intended to light a second floor hallway. The Board asked Michael Ruderman, an abutter if he had any objection, Mr. Ruderman said he did not. Ed Tsoi moved that the Board approve the installation of the three windows as shown on the plan. Bruce Fitzsimmons seconded the motion and the Board voted 5 to 0 in favor.

Roland Chaput then mentioned that he had talked to Michael Ruderman before the meeting and Mr. Ruderman had inquired about the propriety of the tenant, Right Turn, holding concerts in their space in the building. Roland asked Woody Giessmann of Right Turn who was in the audience to explain what they were doing. Michael Rudermann when asked if he was bothered by the noise said he hadn't heard the concerts but had seen them advertised and was curious about how the use fit with the permit. Roland Chaput asked the Planning Director to inquire of the Building Inspector as to the propriety of the use.

The Board then engaged in a short discussion of the Planning Dialog and its report to Town Meeting.

Ed Tsoi moved that the Board approve the minutes of the March 19, 2007 meeting. Andrew West seconded the motion and the Board voted 5 to 0 to approve.

Roland Chaput moved and Ed Tsoi seconded that the Board enter executive session in order to discuss negotiations with Symmes Redevelopment Associates regarding the Symmes project which discussion if held in public session would compromise the Board's negotiating position. Ed Tsoi seconded the motion and Kevin O'Brien polled the Board: Bruce Fitzsimmons – yes, Roland Chaput – yes, Ed Tsoi – yes, Andrew West – yes, Chris Loreti – yes

Respectfully submitted,
Kevin J. O'Brien



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Executive Session

Members Present: Bruce Fitzsimmons
Roland Chaput
Edward Tsoi
Andrew West
Christopher Loreti joined the meeting at 8:30PM

Also Present: Kevin J. O'Brien

Roland Chaput moved that the Board enter executive session in order to discuss negotiations with Symmes Redevelopment Associates regarding the Symmes project which discussion if held in public session would compromise the Board's negotiating position. Ed Tsoi seconded the motion and Kevin O'Brien polled the Board: Bruce Fitzsimmons – yes, Roland Chaput – yes, Ed Tsoi – yes, Andrew West – yes, Chris Loreti – yes

Kevin O'Brien described the meeting held by Brian Sullivan, Ed Tsoi, Charlie Foskett, John Maher and Kevin O'Brien on March 22nd to form a negotiating position. He said the subcommittee wanted two things in the event that project is built as a rental: 1. assurance that E.A. Fish will still have equity in the project even if JPI invests in it, and 2. that the Town receive some more money at closing or yearly as long as the project remains a rental.

He then explained the status of the negotiation and the next steps. The Board discussed the pros and cons of different strategies. There seemed to be agreement that it was important to get the project built and not do things that would endanger its completion. In the long run, the best thing for the Town is to have a complete project paying taxes.

Ed Tsoi moved that the Board leave executive session. Bruce Fitzsimmons seconded the motion and Kevin O'Brien polled the Board: Bruce Fitzsimmons – yes, Roland Chaput – yes, Ed Tsoi – yes, Andrew West – yes, Chris Loreti – yes

The Board adjourned at 10:45

Respectfully submitted,
Kevin J. O'Brien